

MEMORANDUM FOR TRAVELLING HQ USAMC EMPLOYEES

SUBJECT: Gifts of Travel and Related Expenses Accepted Under 31 U.S.C. § 1353

1. This memorandum contains general guidance relating to gifts of travel and related expenses offered (unsolicited) to you by a non-Federal source to defray some or all of the costs of your official travel and attendance at a conference, seminar, symposium, or other meeting. Formal detailed guidance on this subject, including all the pertinent references, may be found in HQDA LTR 55-96-1 dated 30 October 1996, subject: Acceptance of Payment from a Non-Federal Source for Official Travel Expenses.

2. Before you may accept such offers on behalf of the Army, you must have prior approval from your travel approving authority and the concurrence of your Ethics Counselor. The approving authority must do a “conflict of interest analysis” to determine that acceptance under the circumstances would not cause a reasonable person with knowledge of all the relevant facts to question the integrity of Army programs or operations. This “conflict of interest analysis” and determination must consider such matters as:

- the identity of the source;
- the nature and purpose of the meeting or similar event;
- the identity of the other participants;
- the nature and sensitivity of matters pending in the Army affecting the interests of the source;
- the significance of the Army traveller’s role in such matters; and
- the value and character of the travel benefits.

3. In most cases, the travel approving authority will be your supervisor. Some Army employees approve their own travel. In either case, the determination and approval must be in writing and submitted to your Ethics Counselor for concurrence. Enclosed is a format the travel approving authority may use to accomplish and record his or her analysis, determination and approval.

4. Travel benefits may only be provided in-kind or by a check payable to the Department of the Army. You may **never** accept cash payments. If the value of the

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travel benefits accepted from a non-Federal source exceed \$250, you must submit a report, with a certification to your Ethics Counselor. Ultimately, these reports are forwarded to the Office of Government Ethics for public inspection. Enclosed is a format that you may use for this report.

5. Do not use this authority or approval process for gifts of personal travel (*i.e.*, travel while on leave, permissive TDY or other administrative absence). In such cases, consult with your Ethics Counselor to ensure that you may accept such travel reimbursement in your personal and private capacity and what report might be required.

6. The Ethics Counselor for Headquarters, U.S. Army Materiel Command, is in the Office of the Command Counsel, General Law Division, Room 7E18. The telephone number is 617-8003.

Enclosures  
(as stated)

MICHAEL J. WENTINK  
Associate Counsel/Ethics Counselor

Office Symbol

MEMORANDUM FOR RECORD

SUBJECT: Approval of the Acceptance of Travel Benefits Under 31 U.S.C. § 1353

1. Travel benefits have been offered by \_\_\_\_\_ [identify the non-Federal source(s)] \_\_\_\_\_ to accommodate the participation of \_\_\_\_\_ [identify Army employee by name, rank and position] \_\_\_\_\_ in \_\_\_\_\_ [identify the title and nature of the meeting or similar event] \_\_\_\_\_ on \_\_\_\_\_ [date of meeting or similar event] \_\_\_\_\_ in \_\_\_\_\_ [place where meeting or similar event is held] \_\_\_\_\_. The Army employee will be travelling, attending and participating in an official capacity and \_\_\_\_\_ [the non-Federal source] \_\_\_\_\_ has offered to pay for the following travel and related expenses which will be provided either in kind or by check payable to the Department of the Army:

(Identify what has been offered, such as:)

- \_\_\_\_\_ Round-trip air transportation
- \_\_\_\_\_ Other transportation (describe)
- \_\_\_\_\_ Overnight accommodations
- \_\_\_\_\_ Meals
- \_\_\_\_\_ Free attendance at event
- \_\_\_\_\_ Other (describe)

2. I have done a conflict of interest analysis taking into account such factors as the source of the gift, to whom it is offered, any matters that I know of before the Army concerning the source, and the nature of the employee's involvement, if any, in the matter. I hereby determine that acceptance of these travel benefits would not cause a reasonable person with knowledge of all the relevant facts to question the integrity of the Army's programs or operations and **approve** \_\_\_\_\_ [employee's name] \_\_\_\_\_ accepting the above-described gift on behalf of the Army.

3. This approval has been coordinated with the Headquarters, U.S. Army Materiel Command Ethics Counselor.

<signed>

Travel Approving Authority

Coordination: HQ, USAMC Ethics Counselor

Concur \_\_\_\_\_

Nonconcur \_\_\_\_\_

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**Note: a copy of this approval should be maintained by the traveller and his or her Ethics Counselor.**